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11 Attorney for defendant David Reid

12 IN THE UNITED STATES DISTRICT COURT

13 FOR THE DISTRICT OF NEW MEXICO

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 CR-05-1849 JH

17 vs.

18 DAVID REID,

19 Defendant.

20 NOTICE OF NON-AVAILABILITY REGARDING *FRANKS* HEARING

21
22 The Defendant David Reid, by counsel undersigned, hereby provides
23 notice of non-availability for a portion of April 2010. The parties have
24 agreed that the *Franks* hearing shall not be set before April of 2010 due to
25 trial calendar issues with regard to defense co-counsel and the prosecutor

1 herein. Counsel undersigned will be traveling to Connecticut for a family
2 religious event and will be out of Tucson from April 15 through and
3 including Sunday April 18, 2010. When setting the *Franks* hearing, the
4 Court is respectfully urged to also allow appropriate travel time to and from
5 New Mexico so as not to interfere with the scheduled departure and return
6 dates for the long scheduled family event referred to above.
7

8 RESPECTFULLY SUBMITTED this 10th day of December, 2009.
9

10 LAW OFFICES OF
11 NASH & KIRCHNER, P.C.
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13 By /s/ Walter Nash
14 Walter Nash for Defendant Reid
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1 CERTIFICATE OF SERVICE
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I hereby certify that a true and correct copy of the foregoing pleading
was delivered to opposing counsel and all other counsel of record *via* the
CM/ECF system this 10th day of December, 2009.

6 /s/ Walter Nash
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